IN THE HIGH COURT OF JUDICATURE OF BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.1749 OF 2005

Shankar Nathu Pawar ... Applicant

versus

The State of Maharashtra ... Respondent

...

Mr.Shriram S. Kulkarni, for the Applicant.

Mr.K.V. Saste, A.P.P., for the Respondent.

...

CORAM : A.M.KHANWILKAR,J.

28th March 2005

P.C.:

. Heard Counsel for the parties. Perused the record. It is seen that the incident occurred on the spur of the moment. After exchange of hot words, the Applicant over-reacted to the situation and caused injury to Ankush and Sudam. The fact remains that the incident happened on the spur of the moment and there is no motive attributed. Besides, as investigation

is complete, the application deserves to be allowed but on the following conditions.

(A) The Applicant is directed to be released on bail in connection with CR.No.309/2004 registered with Haveli Police Station on executing personal bond in the sum of Rs.10,000/- (Rupees ten thousand only) with two local sureties in the like amount.

(B) The Applicant shall not influence the prosecution witnesses nor shall tamper with the prosecution evidence in any manner whatsoever.

(C) The Applicant shall report to the investigating officer once in fortnight on Saturday between 10 a.m. to 2 p.m. during the pendency of the trial. This condition is imposed to ensure that after release of the Applicant, no untoward situation is created by the Applicant as the Applicant and the complainant party are next door neighbours.

(D) The Applicant shall co-operate for early disposal of the trial. If the trial Court is of the opinion that the Applicant is in any manner responsible for delay in disposal of the trial, that fact be recorded in the roznama, which can be a ground for cancellation of bail.

. Application disposed of on the above terms.

(A.M.KHANWILKAR,J.)